

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 11112 09/980105
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, sec 37 C.F.R.1.5) 09/980,105
INTERNATIONAL APPLICATION NO. PCT/JP01/02810	INTERNATIONAL FILING DATE March 30, 2001	PRIORITY DATE CLAIMED March 31, 2000
TITLE OF INVENTION CONSTRUCTION MACHINE REFUELING SYSTEM AND CONSTRUCTION MACHINE		
APPLICANT(S) FOR DO/EO/US Hiroyuki ADACHI et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). Items 11. to 16. below concern other document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> Entitlement to small entity status is hereby asserted. 16. <input checked="" type="checkbox"/> Other items or information: Response to Notification of Missing Requirements		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 09/980,105	INTERNATIONAL APPLICATION NO. PCT/JP01/02810	ATTORNEY'S DOCKET NUMBER 111232
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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =	CALCULATIONS	PTO USE ONLY																
Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$130.00																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Claims</th> <th style="width: 20%;">Number Filed</th> <th style="width: 10%;">Number Extra</th> <th style="width: 10%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td></td> <td></td> <td>X \$ 18.00</td> </tr> <tr> <td>Independent Claims</td> <td></td> <td></td> <td>X \$ 84.00</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s)(if applicable)</td> <td>+ \$280.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate	Total Claims			X \$ 18.00	Independent Claims			X \$ 84.00	Multiple dependent claim(s)(if applicable)			+ \$280.00		
Claims	Number Filed	Number Extra	Rate															
Total Claims			X \$ 18.00															
Independent Claims			X \$ 84.00															
Multiple dependent claim(s)(if applicable)			+ \$280.00															
TOTAL OF ABOVE CALCULATIONS =	\$130.00																	
Reduction by 1/2 for filing by small entity, if applicable. -	\$																	
SUBTOTAL =	\$130.00																	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)). +	\$																	
TOTAL NATIONAL FEE =	\$130.00																	
	Amount to be refunded \$																	
	Charged \$																	

a. <input checked="" type="checkbox"/> Check No. <u>128073</u> in the amount of <u>\$130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.	<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, Virginia 22320</p> <p>Date: <u>February 22, 2002</u></p>
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NAME: James A. Oliff
 REGISTRATION NUMBER: 27,075

 NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki ADACHI et al.

Attn: PCT Branch

Application No.: 09/980,105

Docket No.: 111232

Filed: February 22, 2002

For: CONSTRUCTION MACHINE REFUELING SYSTEM AND CONSTRUCTION MACHINE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US) WITH DECLARATION**

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

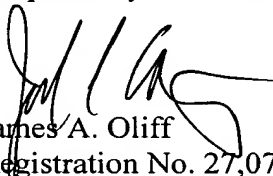
In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on January 8, 2002, submitted herewith is the executed Declaration of the inventors. Any specification attached to and referenced in the Declaration is a copy of the specification and any amendments thereto which were filed in the Office in order to obtain a filing date for the application.

Attached is our Check No. 128073 for ☒\$130.00 ☐\$65.00 (entitlement to small entity status is asserted) for the fee under 37 C.F.R. §1.492(e).

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notification of Missing Requirements. Accordingly, prompt issuance of a Notification of Acceptance and Official Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

02/27/2002 UEDUWIJE 00000008 09980105

01 FC:154

130.00 DP

JAO:JSA/zmc

Date: February 22, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,105	Hiroyuki Adachi	111232

INTERNATIONAL APPLICATION NO.

PCT/JP01/02810

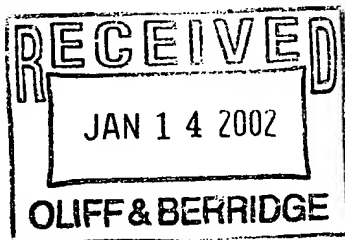
I.A. FILING DATE

03/30/2001

PRIORITY DATE

03/31/2000

Oliff & Berridge
PO Box 19928
Alexandria, VA 22320



CONFIRMATION NO. 1162

371 FORMALITIES LETTER



OC000000007272178

Date Mailed: 01/08/2002

March 8, 2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

DOCKETED
By JB on 1/14 2002
and
By PA7C on 1/14 2002
Oliff & Berridge

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,105	PCT/JP01/02810	111232